

Checklist Before Emergency TPC Hearing

Last UPDATED April 21, 2015

Forms used for TPC.

Notification of Court Hearings and Chapter 48 Rights after IA supervisor approves hold:

- Parents: biological, adoptive, adjudicated, alleged and/or presumptive.
- Children age 12 or older.
- Fax Tribe or Bureau of Indian Affairs (BIA): Wisconsin (715) 682-4527 and Midwest Region (612) 713-4400 if there is a possibility that the child has a status of Native American.
- If there is a prior Transfer of Guardianship (TOG), notice both biological parents & legal guardian.

DOCUMENT: Name, date, time, and means (i.e. in-person, via fax to prison, etc.) of notice for each party as notification will be needed for Section II of the TPC worksheet, question #3.

Prior to leaving the parent/caregiver/guardian's home:

- Have the biological parent/guardian sign the [Authorization Consent to Medical Treatment](#) (DCF-F-2503) form. (Parental refusal/inability to sign shall be presented to the court at the TPC hearing.)
- Give parents and children over the age of 12 the [Acknowledgement of Notice of Rights and Obligations](#) (JD 1704) form, explain its contents, and have them sign it.
- Obtain child's medical card and any prescriptions or medical equipment needed for the child.
- Gather information regarding health concerns, allergies, and any special needs of each child.
- Obtain each child's Medicaid number from either the EDS or CARES.
 - If necessary, contact Maximus (during business hours) to verify coverage & obtain number.
 - Jerusa Johnson (414) 343-5795 or Vicky Williams (414) 343-5794
- Ask the parent/guardian if there is a possibility that the child has Native American heritage and status.
- Gather information for all possible relative placements. (In compliance with Act 79.)
- Provide biological parent/guardian [Care4Kids Parent Handout](#).
- **(For Relative Placement)** Complete the [Kinship Care Relationship Verification](#) form (DCF-F-2604)

Immediately after leaving the parent/guardian's home:

- Contact **PSG (414) 475-2750** to notify of TPC. If needed, request placement.

Determine least restrictive placement (in consultation with the Tribe, if ICWA applies):

Unlicensed (Relative & Non-Relative) Out-of-Home Placement

- *Relative unlicensed* placements must be approved by the IA supervisor
- *Non-relative unlicensed* placements must be approved by IA supervisor and the program manager.
- Obtain the correct names, nick-names, aliases (other names used, including maiden names), and dates-of-birth for all household members.
- Provide *Joint Court Ordered Kinship Care & Foster Care Application Part A* and explain it will need to be fully completed for pick up by the OCM/FCM at the 5 day re-CSE home visit.
- **(For Relative Placement)** Complete the [Kinship Care Relationship Verification](#) form and explain this form will also be picked up by the OCM/FCM at the 5 day re-CSE home visit.
- Provide household information to PSG, they will complete all necessary background checks & generate a provider number for placement. (This provider number will typically be generated within 24 hours.)
- Provide information on how to [Apply for Day Care Benefits](#) for those caregivers who will require the assistance of day care while having a child placed with them.

NOTE: PSG may not create provider number prior to submission of legal documents to DA's office, so non-relative/non-licensed placements may not pre-fill in the legal document.

Licensed/Non-Relative Placement of Child (foster care and group settings)

- Obtain the provider number for placement from PSG.
- (If applicable) For TFC (Treatment Foster Care) approval, fill out the [Emergency Higher Level of Care Approval](#) (DCF-F-2464) form. Consult with the IA supervisor & program manager must approve TFC placements. IAS contacts TFC approval ER line (414) 531-7291 or PEM James Kania (414) 343-5718. The program manager signs the form and faxes it to the placement specialist at (414) 475-2785.

Confirming Safe Environments (CSE)

- At time of placement, complete assessment of physical environment of home, safe sleep arrangements (i.e. crib or Pack N Play), & caretaker's access to supplies to meet child(ren)'s basic needs.
- At time of placement, assess for any presenting placement danger threats.

Provide an Orange Placement Packet for each child at the time of placement

- Complete applicable documents in Green Child Placement Folder & Orange Placement Packet.
- For foster parents, provide the [Questions for Foster Parents](#) handout.
- Children placed with the non-custodial parent *do not* need an Orange Placement Packet. The only form needed is the [Placement Verification Letter](#) (DCF-F-CFS2240-E).

CPC Health Screen and Notification to BMCW Nurse

- Foster Care Health Screen must be completed within 2 business days of original custody date.
 - Contact 855-371-8104 same day as TPC, for the next available appointment.
- Newborns placed in out-of-home care immediately upon discharge from hospital AND Child(ren) placed with non-custodial parent(s) are an exception & do not need a CPC health screen.
- Notify BMCW nurse via e-mail same business day or next morning for after hours TPC with the eWiSACWIS case number and the child(ren)'s names/DOB.

Scan and e-mail TPC (Temporary Physical Custody) Request(s): One TPC for each child

E-mail signed TPC request(s) & KIDS to DA's Office with subject "Emergency TPC" to childwelfare.milwreferrals@da.wi.gov by 9 a.m. the day prior to TPC hearing. (State it is a potential FDTC case, if applicable.)

- *Take*: The time an IAS physically takes a child into TPC (IA supervisor approved).
- *Hold*: The time after the safety assessment leads to a conclusion that no action less restrictive than taking the child into TPC can control for the child's safety (IA supervisor approved).
- *Notice*: The time when notification of the court hearing is provided to parents, the Tribe, and children over the age of 12 (The time the first party is noticed).

Complete Case Maintenance

- Add all case participants and update demographic information (DOBs, SSNs, addresses) for all involved participants; including all household members and all adjudicated and alleged fathers of all children.
- Update each child's person maintenance to reflect the child's mother and father.
- For paternity/custody orders contact Susan Medina (414) 257-7990 or Brian Neu (414) 257-5422.

KIDS Request

- If not yet provided, e-mail designated OA the mother's name/DOB and children's name/DOB.

Enter Placement in WiSACWIS

- To enter placements in eWiSACWIS: Create → Placement → Out of home placement.
- The placement needs to be approved by an IA supervisor to pre-fill in legal document.
- Services Strip shall be entered for non-custodial parents ONLY. (See IA Policy 50.)

Complete CCAP Check

- Biological, adjudicated, presumed and/or adoptive parents and/or legal guardians.

Milwaukee County Family Drug Treatment Court (FDTC)

- If there are *any* allegations of substance use, notify FDTC Coordinator Rebecca Foley *immediately* prior to submitting request for TPC. Ms. Foley can provide consultation to determine if family meets criteria for FDTC. Phone (414) 257-6632 or e-mail at Rebecca.foley@wicourts.gov
- If e-mailing, include parent(s) and child(ren)s names & dates of birth, brief summary of the reason for TPC, & indicate which parent uses substances, drug of choice, if in treatment, if the parent is aware of FDTC, and a phone number for the parent with the substance abuse history. Ms. Foley can contact the parent to introduce FDTC and set up the screening that could possibly occur prior to the TPC hearing.

Internal Review (If applicable)

- IAS and IA supervisor complete an internal review. (See [Internal Review Process](#) & [Memo](#).)
- IA supervisor will schedule an internal review for all cases with:
 - Children 4 and under deemed unsafe.
 - Drug Affected Infants (DAI).
 - Children who have unexplained injuries.
 - Criminal charges pending related to child maltreatment.

Complete Fatherhood Advocate Services Referral (If applicable)

- Send signed [referral Form DCF-F-2460](#) via e-mail pdavis.mfhi@ymail.com or fax 414.353.9064
- See [IA Policy 8.01](#) or contact Fatherhood Program Director Pamela Davis at 414.353.9015

Create Legal Record for each child taken into TPC:

- eWiSACWIS: Create > Casework > Legal record > will prompt to make a legal action > Action is TPC hearing with date on the bottom of the page (in blue) > save and close page.

MPS Foster Care Notification

- If child(ren) attend MPS, electronically complete [MPS Foster Care Notification form](#) (MPSFCN) and email form to fpn@milwaukee.k12.wi.us. (*Must be sent within 48 hours of child entering placement.*)

Legal document: - BMCW Request for Temporary Physical Custody or Pick-Up Order

- Create Legal Document: eWiSACWIS: Create > Casework > Legal Document > BMCW Request for Temporary Physical Custody or Pick-Up Order > Temporary Physical Custody Hearing
 - “II. Worksheet” section of the legal document 7-14. (See TPC Guidelines for further detail):
 - 7) Family Information (Include ICWA & information regarding any alleged, adjudicated, or potential fathers who may or may not be involved including information on why they are not a placement option)
 - 8) What was the original cause for concern that led the BMCW to make contact and intervene?
 - 9) Detailed description of the actions taken (TPC) to protect the child(ren) and why
 - 10) Summary of the incident based on BMCW contacts and information gathered
 - 11) Any pertinent history that supports the premise that the incident may not be an anomaly and/or the dangerous conditions are a pattern?
 - 12) Information gathered thus far that helps understand more than the incident
 - 13) Justification for Recommendations at hearing
 - In this section, request an “expedited Foster Care Home Study” be ordered for any non-licensed placement (both relative & non-relative placements).
 - 14) Next steps for recommended for inclusion in the order
- Submit legal document to IA supervisor for review.
- Print *BMCW Request for Temporary Physical Custody or Pick-Up Order* for IA supervisor’s signature. Original must be given as discovery. Make at least one copy of signed document for BMCW file.
- When legal document has been reviewed and approved for signature by IA supervisor, close and return to eWiSACWIS, then save. Then go back into the *BMCW Request for Temporary Physical Custody or Pick-Up Order* legal document and write down the document number located at the top of page. Leave document open (minimize). Send it by: Start > Computer > Local Disk C > WISACWIS > Work > Right click on the doc. # > e-mail to (childwelfare.milwreferrals@da.wi.gov) with subject line “*Emergency TPC*” > send.

- **DA's Office Discovery Packet:** Place in order with legal document on top:
 - ☐ Legal Document signed by IAS and IA supervisor
 - ☐ Signed requests for TPC(s)
 - ☐ Notifications of court hearing
 - ☐ KIDS/CARES
 - ☐ CCAP
 - ☐ CPS History: All Access reports, IA's or CWRs, and SAPs.
 - ☐ Collateral documents; school, medical, mental health, & police records, etc.
 - ☐ Copy of referral(s) to Fatherhood Advocate Services

Ensure you have name & contact information for FCM & FCM Supervisor.

Check List DURING TPC hearing & immediately following

Contact the FCM/Supervisor as you are being called into the TPC hearing.

If the parent(s) is present at the TPC hearing *and* the child(ren) were *not* placed with a relative, then IAS must ask parent to identify three adult relatives who are potential placement resources.

Document information gathered at the TPC Hearing:

- Names of all parties ([Attorney Contact List](#)).
- Visitation orders, placements approved or orders made around placements.
- Judges' findings.
- Paternity orders.
- Any other orders or authorizations made (i.e. psychological evaluation, AODA evaluation). Initial appearance date, time, branch
- Wait to receive a copy of the signed TPC from the judge.
- If copies of the TPC are needed, copies can be made in the copy room. (Copier code 1303)

Introduction of the family to assigned FCM/supervisor

- If TPC was granted, meet with the FCM and/or supervisor, the family and any family members/supports who may be present per the family. IAS will inform FCM and/or FCM supervisor of any court orders made during the TPC hearing, subjectivity of ICWA, and involvement of non-custodial parents.
- Discuss and schedule the Family Case Transition Meeting (FCTM) to include:
 - Discuss the purpose of the FCTM as to focus on keeping children at home safely and discuss possible relative placement options.
 - Begin discussing and encouraging the family to invite other family members, formal and or informal supports that they would like present at future Family Team Meetings. *Discuss with the family their willingness to consent to the attendance of foster parents.*
 - Set the date, time, and location –to be within 7 business days of the TPC—that the parent/caregiver is available to have the FCTM.
 - Discuss visitation orders and schedule the 5-day visit. If the 5 day visit cannot be scheduled, discuss a plan regarding how Children's Community Services and IFS will ensure the 5 day visit occurs.
 - FCM will get signed consents to talk with the family/informal/formal supports. IAS (if applicable) will get needed signed consents for the Birth to Three program.
 - FCM will complete the [Questions for Biological Parents](#) handout.

Notify your IA Supervisor of the date and time of the FCTM.

Check List AFTER TPC Hearing

E-mail FCM & FCM's supervisor (include IA Supervisor). E-mail should include a cut & paste version of the legal case note (see below). **OR** E-mail FCM & FCM's supervisor (include IA Supervisor) informing if TPC wasn't granted.

Care4Kids/FAST Referral

- E-mail scanned TPC order to Matthew.Kramer@Wisconsin.gov (Must be completed no later than 1 business day after TPC hearing as he will upload to eWiSACWIS)

Out of County Placement (If applicable)

Call or email designated person the following information within 24 hours of TPC hearing:

- Reference Person & eWiSACWIS Number
- OHC Provider's name & eWiSACWIS Number (when known)
- Date of Placement or Change of Placement
- Each Child's Name and Date of Birth
- Contracted CM Agency, CM name & name of IAS

See memo dated 04/20/2015 regarding point of contact in neighboring counties.

Create Legal Case Note (Select "Type Detail" as TPC Order and Select "Face to Face Location" as Court)

- If TPC was granted or not.
- Attendees at court
- Legal parties' contact information
- Any special orders.
- Scheduled FCTM and Initial Appearance (date, time, branch)
- Visitation ordered; include date of 5 day and visitation schedule (all dates, times, locations).
 - Level of supervision & any individuals approved or need to be assessed to supervise visitation
 - Individuals allowed or not allowed to participate in family interactions
 - Recommendations regarding location of family interactions
 - Parents' caregiving diminished protective capacities (i.e. impending danger threats) that impact child's safety warranting supervised family interactions
 - Recommendations related to sibling interactions (if applicable)
 - Any information communicated to or by the parents regarding family interactions

Update legal record in eWiSACWIS for each child involved on TPC

- Open Legal Tab and you will find legal record for each child.
 - Open & update Legal Record with file date.
 - Create Legal Status & complete all fields that apply

Completion of paperwork after TPC was granted:

- Complete all case notes.
- Complete Initial Assessment/CW Report, safety analysis and plan.
- Complete CAPTA Letter (if applicable).
- Complete reporter or relative notifications under Act 79 (if applicable).
- Get [Questions for Foster Parents](#) prior to FCTM if foster parent(s) aren't attending FCTM.

Complete Confirming Safe Environments (CSE)

- eWiSACWIS: Create>case work>planning>Confirming Safe Environments
- NOTE: CSE document does not need to be completed for shelter care/stabilization centers).

Complete Relative Search (RS)

- eWiSACWIS: Create>case work>planning>Relative Search.
- Document 3 relatives parent identified as potential placement resources

Documentation in eWiSACWIS

- Update each child's Education Tab in Person Management and Enter case note with school information, contact person at the school, & verification MPS was notified via emailing of the [MPSFCN MPS Foster Care Notification Policy IA 61.00](#)
- **Document Fatherhood Referral:** Enter case note with type detail: 'father advocate'.

- Complete [Badgercare Form](#) for parents no longer qualifying for Badgercare because all their children were removed from their custody. E-mail as attachment to point person (Region 1-Rose Balistrieri; Region 2-Nadine Sherman, Region 3-Kim Paige) include FCM & FCM supervisor's name and numbers in your e-mail and CC IA supervisor.

Document CPC Health Screen in eWiSACWIS: Enter appointment date & info. on Medical/Mental Health tab for each child after appointment has been completed. eWiSACWIS: Medical/Mental health tab at top of each child's person maintenance screen → Insert → Provider # 8011848 → Continue. Type of service: Foster Care Health Screen. Begin date & end date is date of appointment. Procedure: Foster Care Health Screen, list any diagnosis or follow up recommended. CPC will complete mental health screen during health screen.

- NOTE: Case note shall be entered documenting child(ren) exempt from a CPC health screen.
- If TPC was from a relative caregiver receiving Kinship payments, e-mail PSG at kinship@psgcip.com & request Kinship service be closed. E-mail includes child's name & DOB, caregiver's name & DOB.
- If TPC was from a guardian receiving subsidized guardianship payments, e-mail Paul.Seeger@wi.gov & CC supervisor Steven.Obershaw@wisconsin.gov to request payments be discontinued. E-mails should include child's name & DOB, caregiver's name & DOB.
- Forms to be scanned into to the Imaging file in eWiSACWIS (scan into)
 - Acknowledgement of Notice of Rights and Obligations (Legal/Participant Document)
 - Assessment/Stabilization Center Documents (Placement/Services)
 - Background reports- CPS, Criminal, other states (Legal/Participant Document)
 - Confidential release of Information (Participant Document)
 - Consent to medical treatment (Participant Document)
 - Consent forms specific to child (Participant Document)
 - Court reports (Legal)
 - Criminal Court Information (Participant Document)
 - Docket Sheets (Legal)
 - ICPC requests and decisions (Placement/Services or Participant Document)
 - Information for Foster Parents (Placement/Services)
 - Law enforcement reports (Legal)
 - Notice of change in placement (Legal)
 - Placement Packet Checklist (Placement/ Services)
 - Protective Plan (Legal/Participant Document)
 - Request for medical records (Participant)
 - TPC Request (Legal)
- **Complete *Birth-to-Three Referral*:** Birth to Three referral **MUST** be completed for *substantiated* cases of abuse/neglect, in accordance with CAPTA & for children age 0-3 with indications of medical or developmental concerns. Parents must be asked to provide parental consent by completing [consent form](#) documenting consent OR refusal to consent.
 - Complete [Milwaukee County Birth-to-Three referral](#) & e-mail Birth_to_ThreeDSD@milwcnty.com
 - DOCUMENT in eWiSACWIS: Medical/Mental Health tab in child's case maintenance:
 - Enter first and last service date as date referral was made.
 - Enter provider number 8000158
 - Service Type = Birth to Three Referral

Complete face to face Family Case Transition Meeting (FCTM) ([See IA 32.00](#) & [Job Aide](#))

- Introductions
- Discussion of why child welfare is involved with the family
- Identification of family strengths
- Discussion of family/informal supports/formal supports' involvement
- Identification of what the family needs at this time
- Next steps

IA must complete a case note documenting the FCTM occurred and what information IA provided during the FCTM.

NOTE: Cases must be transferred within 7 business days of TPC hearing. Paperwork & documentation must be completed, approved by IA supervisor, & case file must be submitted at least 48 hours prior to FCTM.